

REMARKS

Applicant respectfully requests consideration of the subject application. This Amendment and Response is submitted in response to the Office Action mailed August 13, 2009. Claims 9-13, 22-26, and 35-39 are pending. Claims 1-8, 14-21 and 27-34 are withdrawn. Claims 9-13, 22-26, and 35-39 are rejected. In this Amendment, claims 9, 11, 22, 24, 35, and 37 have been amended. No new matter has been added.

35 U.S.C. § 112 Rejections

The Examiner has rejected claims 9, 22 and 35 under 35 U.S.C. § 112, second paragraph, as purportedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 9, 22, and 35 have been amended to more clearly point out and distinctly claim the subject matter which Applicant regards as the invention and Applicant, accordingly, respectfully requests withdrawal of the rejections under 35 U.S.C. § 112.

35 U.S.C. § 102 Rejections

The Examiner has rejected claims 9-13, 22-26, and 35-38 under 35 U.S.C. § 102(e) as being anticipated by Mangold, et al., (U.S. Patent No.: 2004/0186769, hereinafter “Mangold”).

Claim 9 is not anticipated by Mangold at least because Mangold fails to disclose the element of causing a bidding interface to be displayed to at least two bidders on at least one display per bidder, the bidding interface comprising functionality to allow a bidder to bid for a search string and user attribute combination, wherein the search string is input by a user, and the user attribute is an attribute of the user who input the search string.

Mangold is directed to a “method of modifying the price paid by an advertiser in a search result list based upon a location of a user.” *Mangold*, paragraph 1. Mangold teaches an advertiser main page that “enables an advertiser... to enter information related to the advertiser” (*Id.*, paragraph 21) and an advertising entry webpage that “enables an advertiser to enter store information.” *Id.*, paragraph 22. When a user enters information in connection with a particular search into a search engine that corresponds to information provided by the advertiser, “the information provided in the search results

and or amount paid by the vendor in the event of a click through can be affected.” *Id.*, paragraph 22. Mangold also provides a method wherein “the advertiser can select an amount for which the advertiser will pay the provider of the account management server in the event that a user clicks through to the advertiser's web page.” *Id.*, paragraph 36. Thus, Mangold is limited to providing a method for an advertiser to enter a bid for a click through event and fails to provide a bidding interface comprising functionality to allow a bidder to bid for a search string and user attribute combination as required by claim 9.

Furthermore, Mangold fails to disclose receiving the search string input by a user into the search engine and a user attribute of the user, wherein the received search string and user attribute match the search string and user attribute combination and displaying an advertisement correlated with the winning bid together with the at least one search result to the user via a display as required by claim 9.

Therefore, for at least the reasons provided above, Mangold fails to disclose each and every element of claim 9 and, as such, fails to anticipate claim 9 and its dependent claims. Independent claims 22 and 35 include limitations similar to those of claim 9 and, as such, claims 22 and 35 and their dependent claims are not anticipated by Mangold for at least the same reasons as claim 9.

Applicant, accordingly, respectfully requests withdrawal of the rejections under 35 U.S.C. § 102.

35 U.S.C. § 103 Rejections

The Examiner has rejected claims 13, 26 and 39 under 35 U.S.C. § 103(a) as being unpatentable over Mangold in view of Official Notice.

Claims 13, 26, and 39 depend from claims 9, 22, and 35, respectively, and are patentable over Mangold at least by virtue of this dependency. Official Notice has been cited for providing a user attribute that comprising a location in the form of a network address of a computer of the user. However, even if true, the cited Official Notice fails to overcome the above noted deficiencies of Mangold. Hence, claims 13, 26, and 39 are patentable over Mangold in view of Official Notice.

Applicant, accordingly, respectfully requests withdrawal of the rejections under 35 U.S.C. § 103.

Applicant respectfully submits that the present application is in condition for allowance.

Please charge any shortages and credit any overages to Deposit Account No. 19-3140. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 19-3140.

Respectfully submitted,
SONNENSCHNEIN NATH & ROSENTHAL LLP

Date: November 13, 2009

/Stephen M. De Klerk/

Stephen M. De Klerk
Reg. No. 46,503

P.O. Box 061080
Wacker Drive Station, Willis Tower
Chicago, Illinois 60606-1080
650-798-0342